

to respond could result in his claim being dismissed. See Order, ECF No. 15. The Order was sent to Mr. Alston's address of record by first-class mail, certified receipt. *Id.*

Almost two months have passed, and Mr. Alston has not filed a response. Notwithstanding the fact that the Court may treat Whole Food's motion as conceded, see Local Rule 7(b) ("[i]f such a memorandum [in opposition to a motion] is not filed within the prescribed time, the Court may treat the motion as conceded"), the Court independently finds that Mr. Alston may not bring class claims as a *pro se* plaintiff.

Pro se litigants may plead only their own cases, see 28 U.S.C. § 1654, and are "not qualified to appear in the District Court . . . as counsel for others." *Georgiades v. Martin-Trigona*, 729 F.2d 831, 834 (D.C. Cir. 1984) (citing *Herrera-Venegas v. Sanchez-Rivera*, 681 F.2d 41, 42 (1st Cir. 1982) ("federal courts have consistently rejected attempts at third-party lay representation")). Therefore, "a class member cannot represent the class without counsel, because a class action suit affects the rights of the other members of the class." *U.S. ex rel. Rockefeller v. Westinghouse Elec. Co.*, 274 F. Supp. 2d 10, 16 (D.D.C. 2003), *aff'd sub nom. Rockefeller ex rel. U.S. v. Washington TRU Solutions LLC*, 2004 WL 180264 (D.C. Cir. Jan. 21, 2004) (citing *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975)). This principle applies to both of Mr. Alston's class action claims. See *Rotunda v. Marriott Int'l*, 123 A.3d 980, 988 (D.C.

2015)(holding that Federal Rule of Civil Procedure 23 applies to DCCPPA actions under D.C. law). It is therefore

ORDERED that the defendant's partial motion to dismiss is **GRANTED**; and it is further

ORDERED that the plaintiff's class action claims against the defendant for common law fraud and violations of the DCCPPA are **DISMISSED WITH PREJUDICE**.

SO ORDERED.

Signed: **Emmet G. Sullivan**
United States District Judge
April 13, 2018